



Haryana Government Gazette

Published by Authority

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No. 19-2024] CHANDIGARH, TUESDAY, MAY 7, 2024 (VAISAKHA 17, 1946 SAKA)

PART-I B

Notifications by Commissioners and Deputy Commissioners

DEPUTY COMMISSIONER, NUH

Order

The 10th April, 2024

No. 2093-99/LFA.—

1. The General Election of Municipal Council, Nuh was held on 19-06-2022 and the result of the elected candidates was declared on 22-06-2022.
2. The Section 13E of the Haryana Municipal Act, 1973, provides that every candidate at an election shall, either himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing or nomination papers to the date of declaration of the result thereof, both dates inclusive. The account shall contain such particulars, as may be notified by the State Election Commission in this behalf. The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission in this behalf. The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.
3. The Section 13F of the Haryana Municipal Act, 1973, further provides that if the State Election Commission is satisfied that a person has failed to lodge an account of election expenses within the time and manner, as prescribed by the State Election Commission and has no reason or justification therefore, the State Election Commission shall by order published in the Official Gazette, declare him to be disqualified for contesting an election for a period of five years from the date of the order under this Act.
4. In pursuance of the above provisions, the State Election Commission, Haryana *vide* its notification No. SEC/3ME/2022/549, dated 21-03-2022 in exercise of powers vested under clause (i) Article 243ZA of the Constitution OF India, sub-section 3 of Section 13E of the Haryana Municipal Act, 1973 had prescribed the limit of expenditure that may be incurred by the contesting candidate or his authorized agent in connection with election of **Municipal Council, Nuh** and account of election expenses shall be filed/lodged with the Deputy Commissioner or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.
5. The State Election Commission, Haryana in exercise of powers contained under Section 3B of the Haryana Municipal Act, 1973 authorized Deputy Commissioner Concerned, *vide* order No. SEC/3ME/2023/304-446 dated 07-03-2023 to decide the case of disqualification of the candidates of the said municipality, who failed to lodge their account of election expenses.
6. As reported by Dy. Excise & Taxation Commissioner-cum-Election observer (Expenditure) Nuh *vide* memo no. 3039 dated 26-07-2022, the following candidates had contested the election of **Municipal Council, Nuh** held on 19-06-2022 but failed to submit their election expenditure account:-

Sr. No.	Name of Candidate	Consisting For President/Member	Ward No.
1.	Ali Mohd	Chairman	Chairman
2.	Kamal Goyal	Chairman	Chairman
3.	Mohd Hasan	Chairman	Chairman
4.	Niyamat Ali	Member	01
5.	Mohd Azad	Member	02
6.	Shaffique Anwar	Member	02
7.	Mahesh Kumar (Rising Sun)	Member	05
8.	Mamta Devi	Member	10
9.	Upasana Jain	Member	10
10.	Indra Rani	Member	11
11.	Pushpa	Member	11
12.	Komal Adlakha	Member	13
13.	Kirti Verma	Member	13
14.	Sumit Kumar	Member	13

7. This office had served Show Cause notices for date of hearing 06-03-2024 and telephonic message for hearing 11-03-2024 & notice for date of hearing 18-03-2024 them to explain as to why they should not be disqualified on account of non submission of their election expenditure account within the period. I had given an opportunity of personal hearing on 18-03-2024 all above mention Candidates in the office of Deputy Commissioner Mini Secretariat Nuh in the interest of natural justice to produce their election expenditure account along with receipt/document their expenditure duly signed by election observer (Expenditure) Nuh. **Executive Officer, Municipal Council, Nuh** had submitted a copy of letter no. MCN/2024/357 dated 05-03-2024 and letter no. MCN/2024/Spl dated **18-03-2024** vide which the notice of personal hearing were delivered to the said candidates. It has been delivered in person or through their family members or through whatsapp.

8. The above mentioned Candidates neither appear before me nor filed any representation or deposited any receipts or documents relating to expenditure incurred during elections duly countersigned by Election Observer (Expenditure). In view of the above it is suffice to mention that the above noted candidates from Serial no 01 to 14 deserve to be disqualified as per section 13F of the Haryana Municipal Act, 1973. Hence, I, Dharendra Khadgata I.A.S Deputy Commissioner Nuh, hereby ordered that all the above candidates are Disqualified under section 13F of the Haryana Municipal Act, 1973 for being chosen as and for being a member of Municipality for a period of five years from the date of this order.

9. The office is directed to send a copy of this order to the candidates concerned through **Executive Officer, Municipal Council, Nuh** immediately.

DHIRENDRA KHADGATA,
Deputy Commissioner, Nuh.